

**EXPEDITED PROCEDURE - EXAMINING GROUP 3762**

**S/N 09/316,515**

**PATENT**



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David B. Krig et al. Examiner: George R. Evanisko  
Serial No.: 09/316,515 Group Art Unit: 3762  
Filed: May 21, 1999 Docket: 279.112US1  
Title: METHOD AND APPARATUS FOR TREATING IRREGULAR  
VENTRICULAR CONTRACTIONS SUCH AS DURING ATRIAL  
ARRHYTHMIA

**AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116**

Box RCE  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant has reviewed the final Office Action mailed March 2, 2001. Applicant responds as follows.

This amendment and response is timely if filed by June 2, 2001 (a Saturday). Pursuant to 37 C.F.R. § 1.7, the amendment and response is timely if filed by the following business day, June 4, 2001 (a Monday).

**REMARKS**

Applicant has reviewed and considered the Office Action mailed on March 2, 2001, and the references cited therewith. Claims 1 - 91 are pending in this application.

**§102 Rejection of the Claims**

In the Office Action, claims 1 - 3, 26, 27, 58, 59, 63, 88, 89 and 91 were rejected under 35 USC § 102(e) as being anticipated by Hill (U.S. Patent No. 5,814,085). Applicant respectfully traverses the rejection on several grounds. "For a prior art reference to anticipate in terms of 35 U.S.C. § 102, every element of the claimed invention must be identically shown in a single reference." (emphasis added). *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990).

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